

281
ORDINANCE No. 113425

281
COUNCIL BILL No. 106096

The City of

AN ORDINANCE relating to historic preservation, imposing controls upon the Olympic Tower, a Landmark designated by the Landmarks Preservation Board under Chapter 25.12 of the Seattle Municipal Code (Ordinance 106348).

Honorable President:

Your Committee on _____

to which was referred the within Co- report that we have considered the

COMPTROLLER FILE No. _____

Introduced: <u>April 13, 1987</u>	By: <u>J. Street</u>
Referred: <u>April 13, 1987</u>	To: <u>LAND USE</u>
Referred:	To:
Referred:	To:
Reported: <u>MAY 11 1987</u>	Second Reading: <u>MAY 11 1987</u>
Third Reading: <u>MAY 11 1987</u>	Signed: <u>MAY 11 1987</u>
Presented to Mayor: <u>MAY 12 1987</u>	Approved: <u>MAY 18 1987</u>
Returned to City Clerk: <u>MAY 18 1987</u>	Published:
Vetoed by Mayor:	Veto Published:
Passed over Veto:	Veto Sustained:

RECD CIVIL MAY 13 1987

VOICE

The City of Seattle--Legislative Department

REPORT OF COMMITTEE

Date Reported
and Adopted

President:

Committee on

Land Use

was referred the within Council Bill No.

106096

that we have considered the same and respectfully recommend that the same:

Pass

5/1/71

vote

7-0



Committee Chair

#42

CB 106096

ORDINANCE 113425

1
2 AN ORDINANCE relating to historic preservation, imposing
3 controls upon the Olympic Tower, a Landmark design-
4 nated by the Landmarks Preservation Board under Chapter
5 25.12 of the Seattle Municipal Code (Ordinance 106348).

6 WHEREAS, the Landmarks Ordinance, Chapter 25.12 of the
7 Seattle Municipal Code (SMC), establishes a procedure
8 for the designation and preservation of structures and
9 areas having historical, cultural, architectural,
10 engineering, or geographic importance; and

11 WHEREAS, the Landmarks Preservation Board after a public
12 hearing on November 6, 1985 voted to approve the
13 nomination of the Olympic Tower/United Shopping Tower
14 at 217 Pine Street in Seattle as a Landmark under SMC
15 Chapter 25.12; and

16 WHEREAS, after a public hearing on February 5, 1986, the
17 Board voted to approve the designation of the Olympic
18 Tower/United Shopping Tower as a Landmark under
19 SMC Chapter 25.12; and

20 WHEREAS, on June 18, 1986 the Board and owners of the
21 the designated property agreed to controls and
22 incentives; and

23 WHEREAS, the Board recommends to the City Council approval
24 of controls and incentives; Now, Therefore,

25 BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

26 Section 1. That the designation by the Landmarks
27 Preservation Board of Olympic Tower/United Shopping Tower,
28 more particularly described as:

A.A. Denny's Third Addition, Block 23, Lot 2-3
as a Landmark based upon satisfaction of the following
criteria of SMC Section 25.12.350:

- 1) It embodies the distinctive visible characteristics of an architectural style, or period, or of a method of construction; and
- 2) It is an outstanding work of a designer or builder; and
- 3) Because of its prominence of spatial location, contrasts of siting, age, or scale, it is an easily identifiable visual feature of its neighborhood or the city and contributes to the distinctive quality or identity of such neighborhood or the city.

1
2 is hereby acknowledged.

3 Section 2. The following controls upon alteration of
4 the landmark are hereby imposed:

5 A Certificate of Approval issued by the City of
6 Seattle's Landmarks Preservation Board, pursuant to City
7 Ordinance 106348, must be obtained, or the time for
8 denying a Certificate of Approval must have expired,
9 before the owner may make alterations or significant
10 changes to the following specified features:

11 The entire exterior including the roof.

12 The storefronts on the Olympic Tower have been
13 modified and need not be restored to their original
14 state. Further alterations to existing storefronts are
15 hereby granted conceptual approval on the condition that
16 they meet the following requirements:

- 17 1. New storefronts must match the existing
18 storefronts (See Attachment A); or
- 19 2. New storefronts must utilize building
20 materials that are compatible with the
21 existing structure and the controlled features
22 of the exterior.
 - 23 a. No less than 65% of a storefront facade
24 may be transparent.
 - 25 b. Only clear or lightly tinted glass
26 shall be used in windows, doors, and
27 display windows and be considered
28 transparent.
 - 29 c. Large display windows are preferred.
 - 30 d. New storefronts must be no more than two
31 feet from the property line.
 - 32 e. Storefront signage must comply with
33 Attachment B.
- 34 3. The existing Chicago window frames on the
35 exterior of the structure may be replaced with
36 other materials, so long as the replacement
37 retains the appearance of the existing window
38 frames, including proportion, scale, size, and
39 coloration.

40 The City Historic Preservation Officer shall review
41 all storefront alterations and window changes that are
42 proposed. Those alterations that satisfy the above
43 requirements will be granted a Certificate of Approval,
44 and allowed to proceed. Alterations that do not comply
45 with the above requirements shall be reviewed by the
46 Landmarks Board. The Board will determine whether to
47 issue a Certificate of Approval based on criteria set
48 forth in the Secretary of the Interior's Standards for
49 Rehabilitation.

1 A freight elevator and exit stair enclosure may be
2 added to the north wall of the structure so long as it
3 conforms in appearance and scale to Attachment C. Final
4 approval will require a Certificate of Approval from the
5 Landmarks Board.

6 In-kind Maintenance and Repair

7 In-kind maintenance and repairs are excluded from
8 the Certificate of Approval requirement.

9 Attachments A, B, and C are incorporated into this
10 ordinance by reference and are on file at the Office of
11 Urban Conservation, 400 Yesler, Second Floor.

12 Section 3. The following incentives are hereby noted as
13 potentially available to the owner on an application basis:

14 1) SMC Section 24.74.020 entitled Special
15 Exceptions; and SMC Sections 23.44.26 and 23.45.124,
16 Administrative Conditional Uses, authorize, under
17 certain circumstances, uses in a designated Landmark
18 that are not otherwise permitted in the zone the
19 Landmark is located.

20 2) Building and Energy Code exceptions on an
21 application basis.

22 3) The availability of the Historic Preservation
23 Special Tax Valuation (RCW Chapter 84.26) to all Seattle
24 landmarks subject to controls imposed by a designation
25 ordinance on an application basis.

26 Section 4. Enforcement of this Ordinance and penalties
27 for its violation shall be as provided in Section 25.12.910
28 of the Seattle Municipal Code.

Section 5. The City Clerk is hereby directed to record
this ordinance with the King County Director of Records and
Elections, deliver two copies to the City Historic
Preservation Officer, 400 Yesler Building, and deliver one
copy to the Director of the Department of Construction and
Land Use.

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(To be used for all Ordinances except Emergency.)

Section 6.... This ordinance shall take effect and be in force thirty days from and after its passage and approval, if approved by the Mayor; otherwise it shall take effect at the time it shall become a law under the provisions of the city charter.

Passed by the City Council the 11th day of May, 1987,
and signed by me in open session in authentication of its passage this 11th day of May, 1987.

[Signature]
President of the City Council.

Approved by me this 13th day of May, 1987.
[Signature]
Mayor.

Filed by me this 18th day of May, 1987.

[Signature]
Attest: City Comptroller and City Clerk.

(SEAL)

Published _____

By *[Signature]*
Deputy Clerk.

#42

CB 106096

MAY 29 3 23 PM '87

BY THE DIVISION OF
RECORDS & COMMUNICATIONS
KING COUNTY

ORDINANCE 113425

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AN ORDINANCE relating to historic preservation, imposing controls upon the Olympic Tower, a Landmark designated by the Landmarks Preservation Board under Chapter 25.12 of the Seattle Municipal Code (Ordinance 106348).

WHEREAS, the Landmarks Ordinance, Chapter 25.12 of the Seattle Municipal Code (SMC), establishes a procedure for the designation and preservation of structures and areas having historical, cultural, architectural, engineering, or geographic importance; and

WHEREAS, the Landmarks Preservation Board after a public hearing on November 6, 1985 voted to approve the nomination of the Olympic Tower/United Shopping Tower at 217 Pine Street in Seattle as a Landmark under SMC Chapter 25.12; and

WHEREAS, after a public hearing on February 5, 1986, the Board voted to approve the designation of the Olympic Tower/United Shopping Tower as a Landmark under SMC Chapter 25.12; and

WHEREAS, on June 18, 1986 the Board and owners of the the designated property agreed to controls and incentives; and

WHEREAS, the Board recommends to the City Council approval of controls and incentives; Now, Therefore,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. That the designation by the Landmarks Preservation Board of Olympic Tower/United Shopping Tower, more particularly described as:

A.A. Denny's Third Addition, Block 23, Lot 2-3 as a Landmark based upon satisfaction of the following criteria of SMC Section 25.12.350:

- 1) It embodies the distinctive visible characteristics of an architectural style, or period, or of a method of construction; and
- 2) It is an outstanding work of a designer or builder; and
- 3) Because of its prominence of spatial location, contrasts of siting, age, or scale, it is an easily identifiable visual feature of its neighborhood or the city and contributes to the distinctive quality or identity of such neighborhood or the city.

1
2 is hereby acknowledged.

3 Section 2. The following controls upon alteration of
4 the landmark are hereby imposed:

5 A Certificate of Approval issued by the City of
6 Seattle's Landmarks Preservation Board, pursuant to City
7 Ordinance 106348, must be obtained, or the time for
8 denying a Certificate of Approval must have expired,
9 before the owner may make alterations or significant
10 changes to the following specified features:

The entire exterior including the roof.

11 The storefronts on the Olympic Tower have been
12 modified and need not be restored to their original
13 state. Further alterations to existing storefronts are
14 hereby granted conceptual approval on the condition that
15 they meet the following requirements:

- 16 1. New storefronts must match the existing
17 storefronts (See Attachment A); or
- 18 2. New storefronts must utilize building
19 materials that are compatible with the
20 existing structure and the controlled features
21 of the exterior.
 - 22 a. No less than 65% of a storefront facade
23 may be transparent.
 - 24 b. Only clear or lightly tinted glass
25 shall be used in windows, doors, and
26 display windows and be considered
27 transparent.
 - 28 c. Large display windows are preferred.
 - a. New storefronts must be no more than two
feet from the property line.
 - b. Storefront signage must comply with
Attachment B.
3. The existing Chicago window frames on the
exterior of the structure may be replaced with
other materials, so long as the replacement
retains the appearance of the existing window
frames, including proportion, scale, size, and
coloration.

25 The City Historic Preservation Officer shall review
26 all storefront alterations and window changes that are
27 proposed. Those alterations that satisfy the above
28 requirements will be granted a Certificate of Approval,
and allowed to proceed. Alterations that do not comply
with the above requirements shall be reviewed by the
Landmarks Board. The Board will determine whether to
issue a Certificate of Approval based on criteria set
forth in the Secretary of the Interior's Standards for
Rehabilitation.

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1 A freight elevator and exit stair enclosure may be
2 added to the north wall of the structure so long as it
3 conforms in appearance and scale to Attachment C. Final
4 approval will require a Certificate of Approval from the
5 Landmarks Board.

6 In-kind Maintenance and Repair

7 In-kind maintenance and repairs are excluded from
8 the Certificate of Approval requirement.

9 Attachments A, B, and C are incorporated into this
10 ordinance by reference and are on file at the Office of
11 Urban Conservation, 400 Yesler, Second Floor.

12 Section 3. The following incentives are hereby noted as
13 potentially available to the owner on an application basis:

14 1) SMC Section 24.74.020 entitled Special
15 Exceptions; and SMC Sections 23.44.26 and 23.45.124,
16 Administrative Conditional Uses, authorize, under
17 certain circumstances, uses in a designated Landmark
18 that are not otherwise permitted in the zone the
19 Landmark is located.

20 2) Building and Energy Code exceptions on an
21 application basis.

22 3) The availability of the Historic Preservation
23 Special Tax Valuation (RCW Chapter 84.26) to all Seattle
24 landmarks subject to controls imposed by a designation
25 ordinance on an application basis.

26 Section 4. Enforcement of this Ordinance and penalties
27 for its violation shall be as provided in Section 25.12.910
28 of the Seattle Municipal Code.

Section 5. The City Clerk is hereby directed to record
this ordinance with the King County Director of Records and
Elections, deliver two copies to the City Historic
Preservation Officer, 400 Yesler Building, and deliver one
copy to the Director of the Department of Construction and
Land Use.

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(To be used for all Ordinances except Emergency.)

8705291422

STATE OF WASHINGTON)
COUNTY OF KING) SS
CITY OF SEATTLE)

I, NORWARD J. BROOKS, Comptroller and City Clerk of the City of Seattle, do hereby certify that the within and foregoing is a true and correct copy of the original instrument as the same appears on file, and of record in this department.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of The City of Seattle, this **MAY 18 1987**

NORWARD J. BROOKS
Comptroller and City Clerk

By: *Theresa Dunbar*
Deputy Clerk

Section 6.... This ordinance shall take effect and be in force thirty days from and after its passage and approval, if approved by the Mayor; otherwise it shall take effect at the time it shall become a law under the provisions of the city charter.

Passed by the City Council the 11th day of May, 1987,

and signed by me in open session in authentication of its passage this 11th day of May, 1987.

[Signature]
President of the City Council.

Approved by me this 18th day of May, 1987.

[Signature]
Mayor.

Filed by me this 18th day of May, 1987.

Norward J. Brooks
Attest: City Comptroller and City Clerk.

(SEAL)

Published.....

By: *Theresa Dunbar*
Deputy Clerk.

PUBLISH DO NOT PUBLISH

CITY ATTORNEY _____

C-853-X

Affidavit of Publication

**STATE OF WASHINGTON
KING COUNTY—SS.**

The undersigned, on oath states that he is an authorized representative of The Daily Journal of Commerce, a daily newspaper, which newspaper is a legal newspaper of general circulation and it is now and has been for more than six months prior to the date of publication hereinafter referred to, published in the English language continuously as a daily newspaper in Seattle, King County, Washington, and it is now and during all of said time was printed in an office maintained at the aforesaid place of publication of this newspaper. The Daily Journal of Commerce was on the 12th day of June, 1941, approved as a legal newspaper by the Superior Court of King County.

The notice in the exact form annexed, was published in regular issues of The Daily Journal of Commerce, which was regularly distributed to its subscribers during the below

stated period. The annexed notice, a
Ordinance No. 113425
.....

was published on
May 22, 1987
.....

R. Spruigg
.....
Subscribed and sworn to before me on

May 22, 1987
.....

Barbara C. Jones
.....
Notary Public for the State of Washington,
residing in Seattle.

City of Seattle

ORDINANCE 113421

AN ORDINANCE relating to historic preservation, imposing controls upon the Olympic Tower, a landmark designated by the Landmarks Preservation Board under Chapter 25.12 of the Seattle Municipal Code (Ordinance 106348).

WHEREAS, the Landmarks Ordinance, Chapter 25.12 of the Seattle Municipal Code (SMC), establishes a procedure for the designation and preservation of structures and areas having historical, cultural, architectural, engineering, or geographic importance; and

WHEREAS, the Landmarks Preservation Board after a public hearing on November 8, 1985 voted to approve the nomination of the Olympic Tower/United Shopping Tower at 217 Pine Street in Seattle as a Landmark under SMC Chapter 25.12; and

WHEREAS, after a public hearing on February 5, 1986, the Board voted to approve the designation of the Olympic Tower/United Shopping Tower as a Landmark under SMC Chapter 25.12; and

WHEREAS, on June 18, 1986 the Board and owners of the designated property agreed to controls and incentives; and

WHEREAS, the Board recommends to the City Council approval of controls and incentives; Now, Therefore,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. That the designation by the Landmarks Preservation Board of Olympic Tower/United Shopping Tower, more particularly described as:

A.A. Denny's Third Addition, Block 23, Lot 2-3 as a Landmark based upon satisfaction of the following criteria of SMC Section 25.12.350:

- 1) It embodies the distinctive visible characteristics of an architectural style, or period, or of a method of construction; and
- 2) It is an outstanding work of a designer or builder; and
- 3) Because of its prominence of spatial location, contrasts of siting, age, or scale, it is an easily identifiable visual feature of its neighborhood or the city and contributes to the distinctive quality or identity of such neighborhood or the city.

is hereby acknowledged.

Section 2. The following controls upon alteration of the landmark are hereby imposed:

A Certificate of Approval issued by the City of Seattle's Landmarks Preservation Board, pursuant to City Ordinance 106348, must be obtained, or the time for denying a Certificate of Approval must have expired, before the owner may make alterations or significant changes to the following specified features:

The entire exterior including the roof.

The storefronts on the Olympic Tower have been modified and need not be restored to their original state. Further alterations to existing storefronts are hereby granted conceptual approval on the condition that they meet the following requirements:

1. New storefronts must match the existing storefronts (See Attachment A); or
2. New storefronts must utilize building materials that are compatible with the existing structure and the controlled features of the exterior.
 - a. No less than 65% of a storefront facade may be transparent.
 - b. Only clear or lightly tinted glass shall be used in windows, doors, and display windows and be considered transparent.
 - c. Large display windows are preferred.
 - d. New storefronts must be no more than two feet from the property line.
 - e. Storefront signage must comply with Attachment B.

1. The existing Chicago window frames on the exterior of the structure may be replaced with other materials, so long as the replacement retains the appearance of the existing window frames, including proportion, scale, size, and coloration.

The City Historic Preservation Officer shall review all storefront alterations and window changes that are proposed. Those alterations that satisfy the above requirements will be granted a Certificate of Approval, and allowed to proceed. Alterations that do not comply with the above requirements shall be reviewed by the Landmarks Board. The Board will determine whether to issue a Certificate of Approval based on criteria set forth in the Secretary of the Interior's Standards for Rehabilitation.

A freight elevator and exit stair enclosure may be added to the north wall of the structure so long as it conforms in appearance and scale to Attachment C. Final approval will require a Certificate of Approval from the Landmarks Board.

In-kind Maintenance and Repair

In-kind maintenance and repairs are excluded from the Certificate of Approval requirement.

Attachments A, B, and C are incorporated into this ordinance by reference and are on file at the Office of Urban Conservation, 400 Yesler, Second Floor.

Section 3. The following incentives are hereby noted as potentially available to the owner on an application basis:

- 1) SMC Section 24.74.020 entitled Special Exceptions; and SMC Sections 23.44.26 and 23.45.124, Administrative Conditional Uses, authorize, under certain circumstances, uses in a designated Landmark that are not otherwise permitted in the zone the Landmark is located.
- 2) Building and Energy Code exceptions on an application basis.
- 3) The availability of the Historic Preservation Special Tax Valuation (RCW Chapter 84.26) to all Seattle landmarks subject to controls imposed by a designation ordinance on an application basis.

Section 4. Enforcement of this Ordinance and penalties for its violation shall be as provided in Section 25.12.910 of the Seattle Municipal Code.

Section 5. The City Clerk is hereby directed to record this ordinance with the King County Director of Records and Elections, deliver two copies to the City Historic Preservation Officer, 400 Yesler Building, and deliver one copy to the Director of the Department of Construction and Land Use.

Section 6. This ordinance shall take effect and be in force thirty days from and after its passage and approval, if approved by the Mayor; otherwise it shall take effect at the time it shall become a law under the provisions of the city charter.

Passed by the City Council the 11th day of May, 1987, and signed by me in open session in authentication of its passage this 11th day of May, 1987.

SAM SMITH,
President of the City Council.

Approved by me this 18th day of May, 1987.

CHARLES ROYER,
Mayor.

Filed by me this 18th day of May, 1987.

Attest: NORWARD J. BROOKS,
City Comptroller and City Clerk.

(Seal) By THERESA DUNBAR,
Deputy Clerk.

Publication ordered by NORWARD J. BROOKS, Comptroller and City Clerk.
Date of official publication in Daily Journal of Commerce, Seattle, May 22, 1987.